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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Office of the Lieutenant Governor

Corrigendum

In Government Notification dated 3rd December 1966 regarding the suspension of certain provisions of the Government of Union Territories Act 1963 (20 of 1963) published in this Government Gazette (Supplement) Series I No. 35, the following corrections should be made: —

(i) In the first line of the notification the word «today» should be added after the word «President».

(ii) In the 11-12 line of the preamble of the order the word «consequential» should be substituted by the word «consequential».

(iii) In line 2 of part (a) of the notification «clause (a)» should be substituted for «Clause (A)» and in line 7 of the same part «clause (c)» should be substituted for «Clause (C)».

Cabo Raj Niwas
Caranzalem, Goa
5th January, 1967.

K. R. Damle
Administrator, Union Territory of
Goa, Daman and Diu

Finance Department

Notification

Fin(Rev)/11-165/part/14/67

In exercise of the powers conferred by clause 2 of the Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962, and the para to article 47 of the Diploma Legislativo No. 1409 dated

14th February, 1952, Lieutenant Governor of Goa, Daman and Diu extends the provisions of the same Diploma to the following localities with effect from 22nd January, 1967.

Goa Taluka: Caranzalem, Dona Paula, Santa-Cruz, Alto de Bambolim, Mercês, S. Pedro and Chimbel.

Salcete: Navelim, Nuvem, Aquem and Davorlim.

Bardez: Betim, Alto de Porvorim and Guirim.

Bicholim: Sanquelim.

Ponda: Curti and Queula.

Quepem: Cacora.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

V. S. Srinivasagopalan, Dy. Secretary (Finance).

Panjim, 10th January, 1967.

Saka 1888, Paus 20.

Law and Judiciary Department

Notification

LD/N/1/67

In exercise of the powers conferred by clause 2 of the Goa, Daman and Diu Removal of Difficulties Order 1962 and all other powers enabling him in this behalf, the Lt. Governor of Goa, Daman and Diu hereby revokes the amendment made to section 136 of the Civil Registry Code by Portaria no. 2069 of the 13th April, 1961. The said section will henceforth be acted upon as it stood prior to the issue of the aforementioned portaria.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Kant Desai, Under Secretary.

Panjim, 2nd January, 1967.

Registration Department

ORDER

The following table of fees prepared by the Lt. Governor of Goa, Daman and Diu in exercise of the powers conferred by section 78 of the Indian Registration Act, 1908 as extended to the Union Territory of Goa, Daman and Diu is hereby published as required by section 79 of the Act:

Fees for the issue of encumbrance certificate.

- | | |
|---|----------|
| (1) For an encumbrance certificate relating to one item of property or deeds executed by one individual | Rs. 5.00 |
| (2) For each year exceeding one in respect of which a search is made | Rs. 1.25 |

This would be in addition to copying fee of 40 paise for every hundred words.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

P. B. Venkatasubramanian, Law Secretary.

Panjim, 6th January, 1967.

ORDER

In exercise of the powers conferred by section 69 of the Indian Registration Act, 1908, as extended to the Union Territory of Goa, Daman and Diu and all other powers enabling him in this behalf the Inspector General of Registration of Goa, Daman and Diu hereby makes the following amendment to the Goa, Daman and Diu Registration Rules 1965 which having been approved by the Lieutenant Governor of Goa, Daman and Diu are hereby published for general information.

1. **Short title.** — (1) These rules may be called the Goa, Daman and Diu Registration (Amendment) Rules, 1966.

(2) They shall come into force at once.

2. After rule 69 of the Goa, Daman and Diu Registration Rules, 1965, the following shall be inserted:—

«XIX—Issue of encumbrance certificate

70(1) When an application is made for a search for encumbrances in respect of any immovable property or for a list of documents executed by, or in favour, of a single individual, and the applicant desires that a certificate of encumbrances or a list of documents found in the course of such search should be furnished to him by the registering officer, the request shall be complied with, the certificate or list being in the forms printed in Appendix AC and AE.

(2) In the case of searches for a list of documents executed by, or in favour of, a particular individual, the list shall show the number, date, nature and value of the several documents found, as well as the names of the parties and the village in which pro-

perty affected, if any, is situated; but no description of the properties affected by the documents should be given as in the case of encumbrance certificates on properties. The list shall not include particulars of documents registered in Register Books 3 and 4 unless the applicant is entitled to copies of the entries (section 57 of the Act). The certificate or list shall be prepared in the form printed in Appendix AD.

(3) A certificate of encumbrance granted by a Registrar or by a Sub-Registrar shall be in the language in which the indexes of his office are prepared. If the indexes are not in English but the party requires the certificate to be prepared in English the request may be complied with.

(4) A certificate of encumbrance shall contain a complete list of all acts and encumbrances affecting the property in question.

(5) In the case of a search made in the records of more than one office, the various certificates prepared in the different offices shall be granted to the party and not a consolidated certificate by the officer to whom the application was made in the first instance. An officer who makes a search at the request of another officer shall therefore furnish a certificate in duplicate.

(6) (i) Searches for certificates of encumbrance shall, as a rule, be made by two persons independently of each other, so the results obtained by one may be and verified with those obtained by the other.

(ii) When a party himself makes the search he should be required to furnish a signed note of the results of the search and the results should be verified by a member of the office establishment.

(7) A copy shall be retained of each encumbrance certificate issued from an office and shall be filed in a separate file book in which the various certificates will be numbered consecutively in a separate series for each calendar year.

The notes furnished by parties containing the results of searches conducted by themselves and the duplicate of the certificates received from other offices under sub-rule 5 shall be filed with the office copy of the encumbrance certificate concerned.

3. After form AB the following forms shall be inserted:—

FORM AC

Certificate of Encumbrance on Property

Note:—Neither Government nor the Sub-Registrar issuing the certificate guarantees the accuracy of correctness of the contents of this certificate and will not be liable for any claim for damages in respect of any information contained therein.

Certificate No. ... of ... 19...

Application No. ... of ... 19...

Having applied to me for a certificate giving particulars of registered acts and encumbrances, if any, in respect of undermentioned property:—

(To be stated and described as given in the application)

I hereby certify that a search has been made in Book I and in the indexes relating thereto for years from the ... day of ... 19... to the ... day of ... 19... for acts and encumbrances

affecting the said property and that on such search the following acts and encumbrances appear: —

Serial No.	a) Description of property	Date of execution	b) Nature and value of document	Name of parties		Reference to document entry		
				Executants	Claimants	Volume	Page	Number & year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

- (a) Enter the descriptions given in the document found.
(b) 1) In the Case of a mortgage-deed enter rate or interest and period of payment, if stated therein.
2) In the case of leases enter term of lease and annual rental.

I also certify that save the aforesaid acts and encumbrances no other acts and encumbrances affecting the said property have been found.

Search made and certificate prepared by (Signature) }
(Designation)

Search verified and certificate examined by (Signature) }
(Designation)

Office ...

Dated ... 19...

Signature of Registering Officer

Seal

Note: — (1) The acts and encumbrances shown in the certificate are those discovered with reference to the description of properties furnished by the applicant. If the same properties have been described in registered documents in a manner different from the way in which the applicant has described them, transactions evidenced by such documents will not be included in the certificate.

(2) Under section 57 of the Indian Registration Act, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or requiring certificates of encumbrances on specified properties should make the search themselves, when the registers and indexes will be placed before them on payment of the prescribed fees.

But, as in the present case, the applicant has not undertaken the search himself, the requisite search has been made as carefully as possible by the Office.

FORM AD

Certificate showing list of documents executed by or in favour of a person

Note: — Neither Government nor the Sub-Registrar issuing the certificate guarantees the accuracy of correctness of the contents of this certificate and will not be liable for any claim for damages in respect of any information contained therein.

Certificate No. ... of ... 19 ...

Application No. ... of ... 19 ...

Having applied to me for a certificate giving particulars of registered documents executed by or in favour of

I hereby certify that a search has been made for such documents in Books 1, 3 and 4 and in the indexes relating

thereto for ... years from the ... day of ... 19... to the day of ... 19... and that on such search the following appear: —

Serial No.	Name of village in which the property affected by the document is situated	Date of execution	Nature and value of document	Name of parties		Reference to document entry			
				Executants	Claimants	Book	Volume	Page	Number & year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

I also certify that save the aforesaid documents no others have been found.

Documents registered in Book 3 or Book 4, copies of which the applicant is not entitled to obtain under the provisions of section 57 of the Indian Registration Act, are not covered by this certificate.

Search made and certificate prepared by (Signature) }
(Designation)

Search verified and certificate examined by (Signature) }
(Designation)

Office ...

Dated ... 19...

Signature of Registering Officer

Seal

Note: — (1) The documents showing the certificate are those discovered with reference to the description of the person furnished by the applicant. If the name has been described in registered documents in a manner different from the way in which the applicant has described it, transactions evidenced by such documents will not be included in the certificate.

(2) Under section 57 of the Indian Registration Act, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or requiring certificates showing list of documents executed by or in favour of a person should make the search themselves, when the registers and indexes, except Books Nos. 3 and 4 and the indexes relating thereto, will be placed before them on payment of the prescribed fees.

But, as in the present case, the applicant has not undertaken the search himself, the requisite search has been made as carefully as possible by the Office.

FORM AE

Nil Certificate of Encumbrance on Property

Note: — Neither Government nor the Sub-Registrar issuing the certificate guarantees the accuracy of correctness of the contents of this certificate and will not be liable for any claim for damages in respect of any information contained therein.

Certificate No. ... of ... 19 ...

Application No. ... of ... 19 ...

Having applied to me for a certificate giving particulars of registered acts and encumbrances, if any, in respect of undermentioned property: —

(To be stated and described as given in the application)

I hereby certify that a search has been made in Book I and in the indexes relating thereto for ... years from the ... day of ... 19... to the ... day of ... 19... for acts and encumbrances

affecting the said property and that on such search no act or encumbrance affecting the said property has been found.

Search made and certificate
prepared by (Signature) |
(Designation) |

Search verified and certificate
examined by (Signature) |
(Designation) |

Office ...

Dated ... 19...

Signature of
Registering
Officer

Seal

Note;— (1) If the properties have been described in registered documents in a manner different from the way in which the applicant has described them in the application, the transactions evidenced by such documents will not be included in the certificate.

(2) Under section 57 of the Indian Registration Act, persons desiring to inspect entries in the registers and indexes, or requiring copies thereof, or certificate of, encumbrances on specified properties should make the search themselves, when the registers and indexes will be placed before them on payment of the prescribed fees. But as in the present case the applicant has not undertaken the search himself, the requisite search has been made as carefully as possible by the Office.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Kant Desai, Under Secretary.

Panjim, 6th January, 1967.

Mormugao Port Trust

Notification

MPT/IGA(E.344)/66

As required under Section 124 of the Major Port Trusts Act, 1963, the following Regulations which have been adopted by the Board of Trustees are hereby published.

I — General

1. **Short title and commencement.**— (a) These regulations may be called the Mormugao Port Employees (Supplementary Leave) Regulations, 1966.

(b) They shall come into force on the ...

2. **Application.**— These regulations shall apply to all employees of the Board who are governed by the Mormugao Port Employees (Leave) Regulations, 1964.

3. **Definition.**— In these regulations unless the context otherwise requires:—

(a) «Board», «Chairman» shall have the meanings assigned to them in the Major Port Trusts Act, 1963.

(b) «Earned Leave», «half-pay leave» shall have the meanings assigned to them in the Mormugao Port Employees (Leave) Regulations, 1964.

(c) «Medical Officer» means the Medical Officer of the Board.

II — Special Disability Leave

4. (1) Subject to the conditions hereinafter specified special disability leave may be granted to an employee whether permanent or temporary who is disabled by injury received during, or in consequence of, the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. But the Chairman if he is satisfied as to the cause of the disability, may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

(3) The period of leave granted shall be such as is certified by the Medical Officer to be necessary. It shall not be extended except on the certificate of that authority and shall in no case exceed 24 months.

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 24 months of such leave shall be granted in consequence of any one disability.

(6) Such leave shall be counted as duty in calculating service for pension and shall not, except as provided in sub-regulation (7) below, be debited against the leave account.

(7) Half the amount of earned leave granted under sub-regulation 8(b) below, shall be counted as earned leave taken.

(8) Leave salary during such leave shall be equal—

(a) for the first 120 days of any period of such leave, including a period of such leave granted under sub-regulation (5) of this regulation, to earned leave, and

(b) for the remaining period of any such leave to half pay leave, or at the employee's option, for a period not exceeding the period of earned leave which would otherwise be admissible to him on earned leave.

(9) Leave salary under this section shall be regulated under regulation 14 of the Mormugao Port Employees (Leave) Regulations 1964.

(10) In the case of a person to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable under these regulations shall be reduced by the amount of compensation payable under Section 4(I)(d) of the said Act.

5. The provisions of regulation 4 above may be extended to an employee, whether permanent or temporary, who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position, or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury

beyond the ordinary risk attaching to the post which he holds. The grant of this concession is subject to the further conditions: —

- i) that the disability, if due to disease, must be certified by the Medical Officer to be directly due to the performance of a particular duty; and
- ii) that, if the employee has contracted such disability during service, it must be, in the opinion of the Chairman exceptional in character; and
- iii) that, the period of absence recommended by the Medical Officer may be covered in part, by leave under this regulation and in part by other leave, and that the amount of special disability leave granted on earned leave may be less than 120 days.

III — Maternity Leave

6. The authority competent to grant earned leave may grant to a female employee whether permanent or temporary, maternity leave on full pay for a period which may extend up to the end of three months from the date of its commencement or to the end of six weeks from the date of confinement, whichever be earlier.

Note: — Maternity leave under this rule may also be granted in cases of mis-carriage including abortion, subject to the conditions that: —

- i) the leave does not exceed six weeks, and
- ii) the application for the leave is supported by a certificate from the Medical Officer or a registered Medical practitioner.

7. Maternity Leave may be combined with leave of any other kind to the extent admissible under the Mormugao Port Employees (Leave) Regulations, 1964, but any leave applied for in continuation of the former may be granted only if the request is supported by a certificate from the Medical Officer or a registered Medical practitioner.

Note: — Regular leave in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the employee producing a medical certificate from the Medical Officer or a Registered Medical practitioner to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

8. Maternity leave shall be granted not more than once in two years and not more than on three occasions in the entire service of the female employee.

9. Leave salary under this section shall be regulated under regulation 14 of the Mormugao Port Employees (Leave) Regulations, 1964.

10. Maternity leave granted under the provisions of regulation 6 will count for increments in the post in which the employee was officiating at the time of proceeding on such leave provided it is certified

by the appointing authority that the employee concerned would have continued to officiate in that post or a post on the same time-scale but for her proceeding on such leave.

IV — Terminal Leave

11. Subject to the conditions hereinafter specified earned leave to the extent due may be granted as terminal leave at the discretion of the Chairman to

- (1) the temporary employees, other than those employed on contract basis, on the termination of service on account of retrenchment or on the abolition of posts before attaining the age of superannuation, even when it has not been applied for and refused in the public service;
- (2) the re-employed pensioners, who are treated as 'new entrants' in the matter of leave subject to the condition that such pensioners shall not be entitled to draw their pension during the terminal leave if the pension was held in abeyance during the period of re-employment, on the termination of their services on the due completion of the term of employment, irrespective of retrenchment or abolition of the post;
- (3) the persons employed for a period exceeding one year on a contract basis, on the termination of their services on the due completion of the term of employment, irrespective of retrenchment or abolition of the post;
- (4) the unqualified persons who have to vacate their temporary posts to make room for qualified candidates; and
- (5) the persons whose services are dispensed with as a matter of administrative convenience as an alternative to the initiation of disciplinary proceedings against them.

12. Terminal leave shall not be admissible in the following circumstances. — (1) Where the employee concerned has been dismissed or removed from service; or

(2) Where the employee concerned resigns of his own volition, unless the resignation is for reasons of ill health or for other reasons beyond his control, provided that leave not exceeding half the amount of earned leave which the employee concerned can avail of at a time may, at the discretion of the Chairman may also be allowed in case of resignation; or

(3) to apprentices and persons in non-continuous employment of the Board.

13. In all cases where a prescribed period of notice is required to be given prior to the termination of services in accordance with the provisions of regulation 5 of the Mormugao Port Employees (Temporary Service) Regulations, 1964, the leave should be so granted as to cover as far as possible the period of notice required to be given, provided that if the employee is relieved before the expiry of the notice, such notice or the unexpired portion thereof should run concurrently with the leave granted.

14. These regulations are not applicable to cases where the services of a temporary employee are lent by the Central or State Governments, commercial undertakings or semi-government or Statutory organisations on terms which include the payment of leave salary contribution.

15. Leave salary under this section shall be regulated under regulation 14 of the Mormugao Port Employees (Leave) Regulations 1964.

16. **Interpretation.** — If any question arises relating to the interpretation of these regulations it shall be referred to the Chairman whose decision shall be final.

By Order

Shivakumar Dhindaw, Secretary.

Mormugao, 27th December, 1966.